

**REGULAR MEETING OF THE  
BRIGHAM CITY COUNCIL  
MAY 21, 2009**

PRESENT:	Lou Ann Christensen	Mayor
	Bruce Christensen	Councilmember
	Scott Ericson	Councilmember
	Reese Jensen	Councilmember
	Ruth Jensen	Councilmember
	Bob Marabella	Councilmember
ALSO PRESENT:	Rick Bosworth	Human Resource Coordinator
	Jim Buchanan	Emergency Services Director
	Blake Fannesbeck	Public Works Director
	Bruce Leonard	City Administrator
	Mike Nelsen	Police Lieutenant
	Tyler Pugsley	Public Works Assistant Director
	Jason Roberts	Finance Director/Deputy City Recorder
	Paul Tittensor	Chief of Police
	Dennis Vincent	Police Lieutenant
EXCUSED:	Mary Kate Christensen	City Recorder

Mayor Christensen called the meeting to order. The Reverence Period was given by Mayor Christensen. The scouts in the audience led the Pledge of Allegiance.

Approval of Minutes: Councilmember Christensen noted that on page 7 it states, "They said the level of traffic on Forest Street has actually decreased because of the economy." It should read, "They said the level of traffic on the *railroad* has actually decreased because of the economy."

A motion to approve the minutes of the April 30, 2009 Council Meeting and Executive Session as amended was made by Councilmember Marabella. The motion was seconded and carried.

Mayor Christensen presented the agenda as follows:

**PRESENTATION**

Presentation of Officer of the Year Award to Sgt. Kurt Fertig

**PUBLIC COMMENT**

**CONSENT**

Appointment of Citizen Corps Council Chair

Renewal of License Agreement Between Mark Parker and Brigham City for Submersible Water Ski Course

**PUBLIC HEARING**

Community Development Block Grant Hearing to Inform Citizens of the City's CDBG Project for \$100,000 for ADA Curb Cuts

**NEW BUSINESS**

Request to Contract with Answer Connect for Answering Services for Utility Outages/Concerns

Request for Approval of 3-Year Training and Exercise Plan

**UNFINISHED BUSINESS**

Report and Discussion Regarding Real Estate Consultant Request for Proposal

**MAKING LIFE BETTER - DEPARTMENT REPORTS**

**OTHER BUSINESS**

Discussion Regarding the May 28 Work Session

**CLAIMS**

Payment Register

Councilmember Reese Jensen made a motion to approve the agenda as amended. The motion was seconded and carried unanimously.

## **PRESENTATION**

### **Presentation of Officer of the Year Award to Sgt. Kurt Fertig**

Layton Police Chief Gary Keefe, President of the Utah Chiefs of Police Association (UCPA), and Chief Frank Budd, Executive Director of the UCPA, came forward. Chief Keefe reported that Chief Tittensor nominated Sgt. Fertig for this award for his tremendous professionalism, work ethic and dedication of duty for the residents of Brigham City. One recent incident exemplifies his dedication to duty. On the night of August 26, 2008, the historic Bott Monument Building erupted into flames. Upon arriving, Sgt. Fertig was approached by a neighbor that stated that someone may still be trapped within the burning building. Upon entrance into the building he came across Ms. Bott who indicated that her child was still trapped on the upper floor of the burning building. Without hesitation and prior to arrival of the Fire Department, they ran to the upper floor of the building which was engulfed in flames and found the child in his bed. They were able to rescue the child and exit the building through intense smoke and heat. The actions of Sgt. Fertig demonstrated the selfless dedication of a true professional who placed the safety of others before his own. Mayor Christensen and Chief Tittensor presented Sgt. Fertig with a plaque from the Utah Chiefs of Police Association.

## **PUBLIC COMMENT**

Hazel Purdue - Ms. Purdue said when she first heard about the proposed new City Offices it was going to be a 30-year plan and it was not crucial. She said it is unthinkable to go into more debt at this time for several reasons. One is UTOPIA. The City has pledged \$320,000 a year for 30 years for UTOPIA. Her contacts throughout the state and in Tremonton do not think that UTOPIA is being sold to the general public and installed. She felt that within the next few months UTOPIA will call their bonds up and the City is in debt to them. Another reason is the Procter and Gamble project that is supposed to bring in money. She doubted that any money has been received from them yet. Another reason is the recent increase in property tax. When the County had their public hearing the room was full and there was not one person that was in favor of the increases. The School Board increased property tax to pay for their bond and the County increased property taxes 10% across the board. There is a growing sentiment throughout the community against the federal debt. There is a limit to what people can afford. The citizens of this City cannot afford another hefty tax. If the City really believes there is a need for a new building, she suggested it go to a vote of the citizens. She took her own informal survey everywhere she has been and there was not one person that felt the City should do this. She felt if the City does this the citizens will rise up. She urged the Council to think long and hard about this. The citizens have had all the debt they can stand. She added that the City owns the top floor of the EMS Building and people think it is not being utilized. If the Public Works people need more room they could use this area.

Councilmember Marabella said he is on the Space Needs Committee and said he was willing to visit with Ms. Purdue one-on-one about this issue. He said she has some of the information, but not all of it. She said she knows how the citizens feel.

There were no further comments from the public.

## **CONSENT**

### **Appointment of Citizen Corps Council Chair**

It was recommended Sharon Christensen be appointed as Chair of the Citizen Corps Council.

### **Renewal of License Agreement Between Mark Parker and Brigham City for Submersible Water Ski Course**

MOTION: A motion to approve the Consent Agenda was made by Councilmember Reese Jensen, seconded by Councilmember Marabella and unanimously carried.

---

**PUBLIC HEARING**

**Community Development Block Grant Hearing to Inform Citizens of the City's CDBG Project for \$100,000 for ADA Curb Cuts**

Mr. Rick Bosworth explained that the City applied for \$100,000 last fall for ADA curb cuts. This public hearing is required as part of the process and gives the citizens the opportunity to comment regarding the funds the City will be receiving. There is no match required by the City, but there are some engineering costs, approximately \$6,000-\$8,000 which will be paid through Public Works and the Street Safety Program, a budgeted item.

A motion to open the public hearing was made by Councilmember Marabella, seconded and carried.

Sharon Ross - Ms. Ross said she goes all over town and finds the ADA curb cuts very helpful. When she runs into corners that are not cut she has to go all around the block to get where she needs to go. She would love to see curb cuts throughout the City.

Hazel Purdue - Ms. Purdue said she has a disabled daughter with MS and these cuts are really needed and should be done as soon as they can. The disabled community needs them and they need to be mobile.

There were no further comments from the public. A motion to close the public hearing was made by Councilmember Ericson seconded and carried.

**NEW BUSINESS**

**Request to Contract with Answer Connect for Answering Services for Utility Outages/Concerns**

Mr. Buchanan came to the table and explained that since the City joined Consolidated Dispatch they have been dispatching the City's after hours public utilities and on call personnel through their center. Several months ago Mr. Leonard received notification from the Dispatch Manager that it was becoming impossible to meet the needs of the City in a timely and professional manner. Brigham City is the only member of Consolidated Dispatch that has on call employees. Mr. Leonard put a team together to determine what needed to be done. The team decided that the best option was to contract with a private commercial vendor to handle the City's after hours and standby needs. They identified four companies and chose Answer Connect as the company that would do the best job for the City at the most reasonable price.

Answer Connect will provide an 800 number that citizens can call. On-call employees will create a list of questions for them to ask so there is enough pertinent information to be given to the standby personnel. Answer Connect will call standby personnel and give them that information. At the same time or shortly thereafter, they will notify either the directors or superintendent of the problem. They will provide the City a monthly report with all the calls and what they were.

As part of this contract, staff is also looking at having Answer Connect provide the City's building security and fire alarms which will be an additional savings to the City.

There is a \$49.99 setup fee and \$2,759.76 per year. This could be covered through the Public Works and Public Power Departments cutting the number of standby personnel on call. They estimated this would save almost \$7,000. There will be additional savings by having them also provide the security and fire alarms.

MOTION: Councilmember Ericson made a motion to approve the contract with Answer Connect for answering services for utility outages. Councilmember Reese Jensen seconded the motion. The motion unanimously carried.

**Request for Approval of 3-Year Training and Exercise Plan**

Mr. Buchanan stated that Homeland Security and many of the grants the City receives require a 3-year training and exercise program to ensure Brigham City remains NIMS compliant. This plan outlines how these objectives will be met.

Councilmember Reese Jensen recommended that citizens be involved in this training in some way. He also suggested that there be a method of measuring how prepared Brigham City citizens are. Mayor Christensen said the City conducted a Dan Jones survey and one of the questions was whether they had a 72-hour kit. The positive responses were very high - 74%. Councilmember Reese Jensen requested a quarterly report be published on all the individuals that are required to have training, the training completed and what training they still need to have. Mr. Buchanan said he prepares a quarterly report for the Mayor's Office and he will provide a copy to the Council. He said citizens are going to be involved in an exercise after the first exercise. In addition, staff will be putting together a survey online on preparedness.

MOTION: Councilmember Christensen made a motion to approve the 3-year training and exercise plan as presented, seconded by Councilmember Ruth Jensen and unanimously carried.

### **UNFINISHED BUSINESS**

#### **Report and Discussion Regarding Real Estate Consultant Request for Proposal**

Mr. Larsen reported that they received two proposals on the RFP. Before they conducted interviews they wanted to get the Council's feelings on whether to continue.

Councilmember Christensen said he can see a need in certain areas to have a professional representative that can independently work for the City, even though it wouldn't be needed very often. He expressed concern with a conflict of interest. All the Realtors work together and it would be difficult to entirely be away from that conflict of interest, although it is addressed in the RFP.

Councilmember Ruth Jensen said the two that responded to the RFP could work well together. However, the committee questioned whether this was really needed.

Councilmember Ericson felt that the advantage of having a representative is that the person that is buying or selling would not know it is the City that is interested.

Mr. Larsen explained that the contract would only be an as needed basis and payment would only occur as services occur.

Mayor Christensen said she has heard from Realtors that they feel the City has preference toward one realtor. This would allow all Realtors to apply.

Councilmember Marabella said the Council had good intentions, but expressed concern that only two people applied. He preferred going on a case-by-case basis and have a list to use so it is not always the same person.

Councilmember Reese Jensen said he has had some concern whether this is needed or not; however, he felt it is a good way of leveling the playing field and perhaps dispelling the perception that the City is showing preferential treatment. Since it has gone this far, he recommended continuing with it and trying it for a year.

MOTION: Councilmember Reese Jensen made a motion that the committee move forward with a contract for a realtor to act as a consultant to the City for a one year period and return to the Council for approval of the contract. The motion was seconded by Councilmember Christensen. Councilmember Ruth Jensen expressed concern with having a contract for a year. Councilmember Christensen felt it needed to be a year to see how it is going to work, for both the City and the realtor. Councilmember Marabella questioned whether a contract is even needed. Once the criteria and cost structure are established the individual would just be used on a case-by-case basis. Mayor Christensen said it is more fair to open it up to all Realtors. Councilmember Marabella said there could be a renewal period every January. Mr. Larsen said in the interviews they could ask if they would be willing to commit without a contract. The Mayor called for a vote on the motion. The motion unanimously carried.

## **MAKING LIFE BETTER - DEPARTMENT REPORTS**

City Wide Cleanup - Mr. Tyler Pugsley reported that the City Wide Cleanup was from April 25-May 3. They had a volunteer from 4:00-8:00 p.m. at five locations during the week and from 8:00 a.m. to 8:00 p.m. on the weekends. The Neighborhood Pride Council organized this and did an excellent job. There were 16 Public Works employees involved as well with 158.5 man hours. They hauled 107.9 tons of garbage to the County Landfill. During the first three days of this event the County allows the City to dump free of charge, which was 44.9 tons. This provides a big savings to the City. They hauled 28.8 tons of scrap metal to Western Metals. They collected 1,130 tires and 100 vehicle batteries which were given to Les Schwab. They also collected 26 refrigerators. Bell X101 takes these for \$10.

## **OTHER BUSINESS**

### **Discussion Regarding the May 28 Work Session**

Mr. Roberts explained that the May 28 Work Session was scheduled to discuss space needs. He would like to also discuss the possibility of the City purchasing Automatic Water Meter Readers. The Council agreed to add this item to the May 28 Work Session agenda.

## **CLAIMS**

### **Payment Register**

Councilmember Christensen moved to approve General Claims dated April 30, 2009 in the amount of \$208,744.11; for May 12 for \$576,036.40; Miscellaneous Claims for May 12 in the amount of \$249,450.12. The motion was seconded and carried.

A motion to adjourn was made by Councilmember Marabella. The motion was seconded and carried unanimously. The meeting adjourned at 8:10 p.m.